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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/538,166

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Pil-Mo Choi

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08/17/2010

Innovation Counsel LLP  
21771 Stevens Creek Blvd  
Ste. 200A  
Cupertino, CA 95014

EXAMINER

WONG, TINA MEI SENG

ART UNIT

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2874

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/538,166	<b>Applicant(s)</b> CHOI ET AL.	
	<b>Examiner</b> TINA M. WONG	<b>Art Unit</b> 2874	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 26 July 2010.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-4 and 6-27 is/are pending in the application.
- 4a) Of the above claim(s) 6-12, 16-18, 22-24 and 27 is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-4, 13-15, 25 and 26 is/are allowed.
- 6) ☒ Claim(s) 19 and 20 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 June 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☒ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)                    | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

### DETAILED ACTION

This Office action is responsive to Applicant's response submitted 26 July 2010.

#### *Election/Restrictions*

Claims 1-4 are directed to an allowable product. Pursuant to the procedures set forth in MPEP § 821.04, claims 13-15, 25 and 26, directed to a species of the previously generic product, previously withdrawn from consideration as a result of a restriction requirement are hereby rejoined and fully examined for patentability under 37 CFR 1.104. Claims 19-20, directed to a species of the previous generic claim has been rejoined for ease of examination however, is no longer generic to the currently amended allowable product claim 1. Claims 19-21 are rejected below.

Because a claimed invention previously withdrawn from consideration under 37 CFR 1.142 has been rejoined, **the restriction requirement of Species 1(a), 1(b), 1(c), 1(d) as set forth in the Office action mailed on 12 January 2010 is hereby withdrawn.** In view of the withdrawal of the restriction requirement as to the rejoined inventions, applicant(s) are advised that if any claim presented in a continuation or divisional application is anticipated by, or includes all the limitations of, a claim that is allowable in the present application, such claim may be subject to provisional statutory and/or nonstatutory double patenting rejections over the claims of the instant application. Once the restriction requirement is withdrawn, the provisions of 35 U.S.C. 121 are no longer applicable. See *In re Ziegler*, 443 F.2d 1211, 1215, 170 USPQ 129, 131-32 (CCPA 1971). See also MPEP § 804.01.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

**Claim 19-21 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,936,844 to Yamazaki et al.**

In regards to claim 19, Yamazaki teaches an LCD apparatus (Figures 4b and 5) comprising a first substrate including a first transparent substrate, a channel layer (213 & 214) formed on the first transparent substrate, a first signal line (gate wiring) having a first electrode insulated from the channel layer and disposed at a position corresponding to the channel layer, a second electrode (data electrode) connected to the channel layer, a second signal line (data wiring) disposed over the second electrode and a pixel electrode (170 & 171) connected to the channel layer and insulated from the second electrode and a second substrate (402) corresponding to the first substrate and a common electrode (403) formed on the second substrate and corresponding to the pixel electrode.

In regards to claim 20, Yamazaki teaches the first and second signal lines comprise a metal, and wherein the second electrode and pixel electrode comprise indium tin oxide.

In regards to claim 21, Yamazaki teaches the first signal line is insulated from the second signal line and the pixel electrode by an insulating interlayer, and the insulating interlayer

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includes contact holes through which the second signal line and the pixel electrode are electrically connected to the channel layer.

***Allowable Subject Matter***

**Claims 1-4, 13-15, 25 and 26 are allowed.** The prior art of record fails to disclose or reasonably suggest a third signal line disposed over the upper surface of a second insulating layer so that it is insulated from the second signal line and/or a pixel electrode disposed over and electrically connected the third signal line in addition to the accompanying features of the independent claims. The closest prior arts of record have been discussed in previous Office actions.

***Response to Arguments***

Applicant's arguments with respect to claims 1-4 have been considered but are moot. Claims 1-4 are therefore allowed with the additional limitations included. Claims 13-15, 25 and 26 are generic to currently amended claim 1 and are therefore rejoined and also allowed. Claims 19-21 are no longer generic to claim 1 in view of currently amended claim 1 and have been rejected as stated above.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to TINA M. WONG whose telephone number is (571)272-2352. The examiner can normally be reached on Monday-Friday 8:30-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Uyen-Chau Le can be reached on (571) 272-2397. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Tina M Wong/  
Primary Examiner, Art Unit 2874